

THE PATENT OFFICE OF THE STATE INTELLECTUAL PROPERTY OFFICE  
OF THE PEOPLE'S REPUBLIC OF CHINA

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Shanghai Patent &amp; Trademark Law Office

Date of Dispatch  
May 28, 2004

|                                   |                                                     |
|-----------------------------------|-----------------------------------------------------|
| Application No.: 01125261.8       | Applicant: Matsushita Electric Industrial Co., Ltd. |
| Application Date: August 29, 2001 | Agent:                                              |
| Title: 電池パック                      |                                                     |

## NOTICE ON OFFICE ACTION

1. ☒ According to the Request for Substantive Examination raised by the applicant and based on the provision of Item 1, Article 35 of the Patent Law, the Examiner has proceeded with the Examination as to Substance on the above mentioned application for patent for invention.
- ☐ According to Item 2, Article 35 of the Chinese Patent Law, the Patent Office has decided to examine the above application for patent for invention.
2. ☒ The applicant has requested that the filing date of  
Aug 31, 2000 at the JP Patent Office as the priority date,  
\_\_\_\_\_ at the \_\_\_\_\_ Patent Office as the priority date,  
\_\_\_\_\_ at the \_\_\_\_\_ Patent Office as the priority date,  
\_\_\_\_\_ at the \_\_\_\_\_ Patent Office as the priority date,
- ☐ The applicant has already submitted the copy of the first filed prior application document certified by the receiving office of the country where the application was originally filed.
- ☐ The applicant has not submitted the copy of the first filed prior application document certified by the receiving office of the country where the application was originally filed. It is deemed not having claimed priority according to the provision stipulated in Article 30 of the Patent Law.
- ☐ This application is a PCT application.
3. ☐ The applicant submitted on \_\_\_\_\_ and \_\_\_\_\_ the amendment documents.
- On examination, among them,  
the \_\_\_\_\_ submitted on \_\_\_\_\_ can not be accepted.  
the \_\_\_\_\_ submitted on \_\_\_\_\_ can not be accepted.
- Because the above amendment
- ☐ does not conform with the provisions of Article 33 of the Chinese Patent Law,
- ☐ does not conform with the provisions of Rule 51 of the Implementing Regulations of the Chinese Patent Law,
- Refer to the text of the Notice for the specific reasons why the amendment cannot be accepted

4. ☒ The examination has been proceeded on the original application documents.  
☐ The examination is directed at the following application documents:  
 Claim \_\_\_\_\_, page \_\_\_\_\_ of the specification, page \_\_\_\_\_ of the drawing of the original application documents submitted on the date of filing.  
 Claim \_\_\_\_\_, page \_\_\_\_\_ of the specification, page \_\_\_\_\_ of the drawing submitted on \_\_\_\_\_.  
 Claim \_\_\_\_\_, page \_\_\_\_\_ of the specification, page \_\_\_\_\_ of the drawing submitted on \_\_\_\_\_.  
 Claim \_\_\_\_\_, page \_\_\_\_\_ of the specification, page \_\_\_\_\_ of the drawing submitted on \_\_\_\_\_.  
 Abstract of the specification submitted on \_\_\_\_\_, the drawing of the Abstract submitted on \_\_\_\_\_.

5. ☐ This Notice is made under the condition of no search having been conducted.  
☒ This Notice is made under the condition of search having been conducted.  
☒ This Notice has cited the below comparison documents (the number of which shall continue to be used in the subsequent examination procedures):

| No. | Title of Document | Date of Publication (or the filing date of the conflicting Application) |
|-----|-------------------|-------------------------------------------------------------------------|
| 1   | CN 1227002A       | Aug 25, 1999                                                            |
| 2   |                   |                                                                         |
| 3   |                   |                                                                         |
| 4   |                   |                                                                         |

6. The conclusive opinion drawn from the examination:

☐ As regards the Specification:

- ☐ The contents of the application fall under the scope stipulated by Article 5 of the Patent Law for which no patent right shall be granted.  
☐ The specification does not conform with the provision of Item 3, Article 26 of the Patent Law.  
☐ The drafting of the specification does not conform with the provision of Rule 18 of the Implementing Regulations.

☒ As regards the Claims:

- ☐ Claim \_\_\_\_\_ does not possess the novelty as stipulated in Item 2, Article 22 of the Patent Law.  
☒ Claim 1 does not possess the inventiveness as stipulated in Item 3, Article 22 of the Patent Law.  
☐ Claim \_\_\_\_\_ does not possess the practical applicability as stipulated in Item 4, Article 22 of the Patent Law.  
☐ Claim \_\_\_\_\_ falls under the scope of Article 25 of the Patent Law where no patent right is to be granted.  
☐ Claim \_\_\_\_\_ does not conform with the provision of Item 4, Article 26 of the Patent Law.  
☐ Claim \_\_\_\_\_ does not conform with the provision of Item 1, Article 31 of the Patent Law.  
☐ Claim \_\_\_\_\_ does not conform with the definition of invention as stipulated in Item 1, Article 2 of the Implementing Regulations of the Patent Law.  
☐ Claim \_\_\_\_\_ does not conform with the provision of Item 1, Rule 13 of the Implementing Regulations of the Patent Law.  
☒ Claim 1-7 does not conform with the provisions of Rules 20 of the Implementing Regulations of the Patent Law.

Refer to the text of this Notice for the specific analyses of the conclusive opinion.

7. Based on the above conclusive opinion, the Examiner deems that:
- ☐ The applicant shall amend the application documents in accordance with the requirements raised in the text of the Notice.
  - ☒ The applicant shall discuss in his observations reasons why this application for patent can be granted a patent right, and amend the portions indicated in the text of the Notice which have been deemed as not conforming with the provisions, or no patent right shall be granted.
  - ☐ There are no substantive contents in the application for patent that can be granted a patent right. If the applicant does not present reasons or the reasons presented are not sufficient, the application shall be rejected.
8. The applicant is asked to note the following items:
- (1) According to the provision of Article 37 of the Patent Law, the applicant shall submit his observations within **four months** from the receipt of this Notice. Where, without justified reasons, the applicant does not respond at the expiration of said date, the application shall be deemed to have been withdrawn
  - (2) The applicant shall amend his application according to Article 33 of the Patent Law. The amended documents shall be in duplicate, and the form, in conformity with the relevant provisions in the Examination Guide.
  - (3) The applicant and/or his agent can not, without first making an appointment, go to the Patent Office to have an interview with the Examiner.
  - (4) The observations and/or the amended documents shall be mailed or delivered to Department of Receipt, the Patent Office of the State Intellectual Property Office. No documents shall possess legal effects if not mailed or delivered to Department of Receipt.
9. The text portion of this Notice totals 2 page(s), and includes the following attachment(s):
- ☒ duplicate copy(ies) of cited comparison document(s), altogether 1 copy(ies) 11 pages.
  - ☐

Examination Department: \_\_\_\_\_ Examiner(Seal): \_\_\_\_\_

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## Text of the First Office Action

Having examined the application documents, the Office Action is as follows:

## 5 1. Claim Rejections (Obviousness)

Claim 1 is directed to a battery pack. D1(CN 1227002A) has disclosed a battery pack, and its technical features are as follows: a plurality of battery modules (16), each having a plurality of batteries (12), are provided in parallel with  
10 a predetermined spacing; electrical insulating plates (20, 28, 14, and 26) are provided for holding the batteries (12) that are arranged in parallel, thereby maintaining the predetermined spacing between the battery modules (Refer to claims 1-4 and Fig.1).

15 The difference between claim 1 and D1 is that claim 1 recites a plurality of secondary batteries. It would have been obvious to a skilled person in the art to provide a plurality of secondary batteries to form a battery pack in accordance with the teachings in D1. Therefore, claim 1  
20 does not possess inventiveness over D1, not complying with the provision of Item 3, Article 22 of the Chinese Patent Law.

## 2. Claim Rejections (Unclearness)

25 Pertaining to claim 1, the phrase "an electrical insulating plate for connecting surfaces of the secondary

batteries where electrode terminals are provided" is unclear, not conforming to the provision of Item 1, Rule 20 of the Implementing Regulations.

Claims 2-7 do not conform to the provision of Item 1, Rule 20 of the Implementing Regulations.

Pertaining claim 2, the feature "electrode terminals of the secondary batteries are connected to each other with metal plates" is contradictory to claim 1 referred to. Claim 1 recites that the electrode terminals of the secondary batteries are connected to each other with the electrical insulating plates.

Pertaining to claim 3, the feature "a resin plate with an adhesive applied to both of its surfaces" is unclear.

Claim 4 should be amended to clarify the arrangement of the batteries.

Claim 5 should be introduced into claim 1.

Pertaining to claim 6, "the secondary batteries" should be --the shape of the secondary batteries--.

Claim 7 should be amended to clarify the arrangement of the adhesive tape and the secondary batteries.

In light of the above-said reasons, this application cannot be granted a patent right based on the present documents. The applicant shall amend the claims and specification according to the actions indicated in the Notice, and shall submit the amended application documents within the specified time limit. The amendments shall be in

conformity with the provision of Article 33 of the Chinese Patent Law, and none of them may go beyond the scope of the disclosure contained in the original specification and claims. If the applicant cannot state sufficient reasons  
5 why the present invention possesses inventiveness within the time limit, the application will be rejected.

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